

REMARKS

The Examiner's recognition of Applicants' invention by the allowance of claims 52 and 53 and the indication of allowable subject matter for claims 27-31, 40-49, and 51 is gratefully acknowledged.

Claim 1 has been amended to include the step originally recited in claim 27, now cancelled. Claims 28, 29 and 31, previously dependent upon claim 27, are amended to depend upon claim 1. Claim 50 has been amended to include the step originally recited in claim 51, now cancelled.

Election

Restriction was required between the inventions in:

Group I, claims 1-53, directed to a method of treating a gas sensor; and

Group II, claims 54-56, directed to a gas sensor.

In response to the Restriction Requirement, Applicants confirm the provisionally elects to prosecute Group I, claims 1-53, made during a phone call from the Examiner on March 17, 2004. Applicants withdraw their earlier traversal, and cancel the non-elected claims in Group II, subject to their right to pursue them in a divisional application.

Information Disclosure Statement

With regard to the Information Disclosure Statement submitted by Applicants on January 24, 2004, the Office Action reports that the Examiner was unable to identify two

of the U.S. patent numbers listed in the IDS. Attached is an Information Disclosure Citation Form (PTO-1449) with correct patent numbers. Applicants request that the patent references listed on the attached form be entered and considered. Applicants point out that the title to the previous statement is "Information Disclosure Citation with Document Copies, and believe that copies may have accompanied the Citation. Also, Applicants point out that the earlier IDS was timely submitted and provided correct date and name information, and that the attached form merely corrects inadvertent typographical errors. Therefore, Applicants believe that no fee is due for the attached corrected Citation. In the event that a fee is deemed due for the attached submission, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-0831, which authorization also appears in the final paragraph of this Amendment.

Claim Rejection under 35 USC § 103

Claims 1, 2, 10-26, 32-34 were rejected under 35 U.S.C. § 103 as unpatentable over United States Patent No. 6,179,989, issued to Kennard III et al. in 2001, in view of United States Patent No. 5,271,821, issued to Ogasawara et al. in 1993. Claims 3-9 were rejected under 35 U.S.C. § 103 as unpatentable over Kennard III et al. in view of Ogasawara et al., and further in view of United States Patent No. 4,857,165, issued to Ishiguro et al. in 1989. Claims 35-39 and 50 were rejected under 35 U.S.C. § 103 as unpatentable over Kennard III et al. in view of Ogasawara et al., and further in view of United States Patent No. 5,492,612, issued to Kennard III et al. in 1996.

In view of the amendments to the independent claims 1 and 50, it is appropriate to address the rejections concurrently.

Kennard '989 is applied to show treating a gas sensor with a basic solution or an acidic solution, but, as acknowledged in the Office Action, does not teach treatment with both, as in Applicants' method. Moreover, Kennard '989 does not disclose subsequent treatment with an alkaline carbonate solution, followed by heating or washing with alkaline solution, also steps of Applicants' invention.

Nor do the secondary references show the carbonate wetting, heating and alkaline washing steps in accordance with Applicants' invention. Ogasawara et al. is cited to show treatment with carbonate solution, but admittedly does not show a subsequent alkaline washing step. Ishiguro et al. is applied to show aqueous solutions, including HCl solution, for cleaning, but does not suggest subsequent carbonate treatment followed by an alkaline washing step. Kennard '612 is cited for the limited purpose of showing catalytic layers. Applicants' method comprises a combination of steps that includes treatment with both basic solution and acidic solution, followed by carbonate solution, heating and alkaline washing. Even when read together, the teachings of the several references do not point the practitioner to the combination of steps that make up Applicants' treatment.

Claim 1 is directed to Applicants' method that includes a combination of disposing the gas sensor in a basic solution and in an acidic solution, and wetting with alkaline-

carbonate solution. The references do not show the combination of basic, acidic and carbonate treatments. Moreover, the claim is amended to call for a further alkaline washing step after wetting with the carbonate solution and heating, additional steps not found in the references, as recognized in the rejection. Thus, the references, no matter how combined, do not suggest Applicants' invention as set forth in claim 1.

Claims 2-26 and 32-39 are dependent upon claim 1 and not suggested by the references for the reasons set forth with regard to that claim, but recite additional features preferred in the practice of Applicants' invention.

Claim 50 is directed to Applicants' method which includes applying a catalytic layer in addition to the steps found in claim 1, and is amended to call out the further step of washing in alkaline solution following the carbonate solution and heating steps, features found in claim 51, now cancelled, and in the amendment to claim 1. For the reasons set forth above with regard to claim 1, the references do not show Applicants' method in claim 50.

Accordingly, it is respectfully requested that the rejection of claims 1-26, 32-39, and 50 based upon Kennard '989, Ogasawara et al., Ishiguro et al. and/or Kennard '612, be reconsidered and withdrawn, and that the claims be allowed.

Double Patenting

Claims 1-26 and 32-34 were rejected under the doctrine of obvious-type double patenting based upon United States Patent No. 6,638,405, issued to Jain et al. in 2003, in view of the aforementioned Ogasawara et al.

As recognized in the Office action, the features in claim 27 are patentable distinct from the prior Jain et al. patent. Thus, in view of the amendment to claim 1, it is respectfully requested that the double patenting rejection be withdrawn.

Conclusion

It is believed, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance. If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,



Douglas D. Fekete
Reg. No. 29,065
Delphi Technologies, Inc.
Legal Staff – M/C 480-410-202
P.O. Box 5052
Troy, Michigan 48007-5052

(248) 813-1210